

MEETING

CHIPPING BARNET AREA PLANNING COMMITTEE

DATE AND TIME

WEDNESDAY 16TH OCTOBER, 2019

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BG

TO: MEMBERS OF CHIPPING BARNET AREA PLANNING COMMITTEE (Quorum 3)

Chairman: Councillor Stephen Sowerby MA
Vice Chairman: Councillor Wendy Prentice

Richard Cornelius
Tim Roberts

Laurie Williams
Roberto Weeden-Sanz

Reema Patel

Substitute Members

Alison Cornelius
Pauline Coakley Webb
Lisa Rutter

Julian Teare
Thomas Smith

Paul Edwards
Jo Cooper

Please note that the below agenda may not reflect the order in which items will be heard at the meeting.

You are requested to attend the above meeting for which an agenda is attached.

Andrew Charlwood – Head of Governance

Governance Service contact: chippingbarnet@barnet.gov.uk

Media Relations contact: Gareth Greene 020 8359 7039

ASSURANCE GROUP

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes of last meeting	5 - 10
2.	Absence of Members (if any)	
3.	Declaration of Members' Disclosable Pecuniary interests and Non Pecuniary interests (if any)	
4.	Report of the Monitoring Officer (if any)	
5.	Addendum (if applicable)	
6.	2 Bruce Road Barnet EN5 4LS (High Barnet)	11 - 26
7.	Church End House 44 Totteridge Village London N20 8PR (Totteridge)	27 - 38
8.	Any item(s) the Chairman decides are urgent	

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Decisions of the Chipping Barnet Area Planning Committee

3 September 2019

Members Present:-

AGENDA ITEM 1

Councillor Stephen Sowerby (Chairman)
Councillor Wendy Prentice (Vice-Chairman)

Councillor Tim Roberts
Councillor Laurie Williams
Councillor Alison Cornelius
(sub for Councillor Richard Cornelius)

Councillor Reema Patel
Councillor Roberto Weeden-Sanz

Apologies for Absence

Councillor Richard Cornelius

1. MINUTES OF LAST MEETING

RESOLVED that the minutes of the meeting held on 15 July 2019, be agreed as a correct record.

2. CHAIRMAN'S INTRODUCTION

The Chairman welcomed everyone to the meeting, explained the procedure and stated that the running order had been revised.

3. ABSENCE OF MEMBERS (IF ANY)

Councillor Richard Cornelius sent apologies. Councillor Alison Cornelius substituted for him.

4. DECLARATION OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS (IF ANY)

Councillor Alison Cornelius	<p>Non-Pecuniary Interest – declared an interest relating to Agenda Item 7 Queen Elizabeth's Boys School in that she knew a couple who live in Regina Close who have objected to the application.</p> <p>Councillor Cornelius pointed out that she was not pre-determined regarding the item.</p>
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Councillor Reema Patel	Non-Pecuniary Interest – agenda item 6, Bruce Road, as she knew one of the speakers.
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5. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

6. ADDENDUM (IF APPLICABLE)

Items contained within the addendum would be dealt with under individual agenda items.

7. 4 MOUNT ROAD BARNET EN4 9RL (EAST BARNET)

The Committee received the report and addendum to the report.

Representations were heard from Rose Jackson and the applicant’s representative.

RESOLVED that the application be approved, subject to the conditions in the report, the addendum and the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

For	6
Against	0
Abstained	1

8. 42 BROOKHILL ROAD BARNET EN4 8SL (EAST BARNET)

The Committee received the report.

A representation was heard from the applicant’s agent.

The Committee voted on the Officer’s recommendation to approve the application:

For	1
Against	5
Abstained	1

It was moved by Councillor Williams and seconded by Councillor Weeden-Sanz that the application be **refused** for the following reasons:

The proposed development would by reason of its size, siting, bulk, height and massing would detrimentally harm the character and appearance of the street scene and the wider surrounding area. As such the proposal would be contrary to policies 7.4, 7.6 of the London Plan, policies CS1 and CS5 of Barnet’s Adopted

Core Strategy (2012) and policies DM01 of the Adopted Development Management Policies DPD (2012).

For (refusal)	5
Against (refusal)	1
Abstained	1

RESOLVED that the application be refused for the reasons detailed above.

9. QUEEN ELIZABETHS SCHOOL QUEENS ROAD BARNET EN5 4DQ (HIGH BARNET)

The Committee received the report.

Representations were heard from Julie Hogg and the applicant.

RESOLVED that the application be approved subject to the conditions detailed in the report and the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

For	6
Against	0
Abstained	1

10. 2 BRUCE ROAD BARNET EN5 4LS (HIGH BARNET)

The Committee received the report.

Representations were heard from Derek Dishman and the applicant.

The Committee voted on the Officer’s recommendation to approve the application as follows:

For (approval)	2
Against (approval)	3
Abstained	2

It was moved by Councillor Roberts and seconded by Councillor Williams that the application be **refused** for the following reasons:

Over intensification, heritage and character.

At this point the Committee were advised by the Solicitor, that in his opinion there were not strong enough grounds to refuse this application and the Chairman also echoed this view. The Solicitor also stated that the grounds outlined for refusal were weak and that the authority was likely to lose on appeal.

The Committee voted as follows on the motion to refuse the application for the reasons stated:

For (refusal)	3
Against (refusal)	3
Abstained	1

The Chairman used his casting vote against refusal.

As the Committee had neither voted to approve or refuse the application, the Chairman moved that the application be deferred until the next meeting, to receive a further officer report back clarifying the position, particularly in relation to potential refusal of the application and the ramifications associated with that. The motion was seconded by Councillor Alison Cornelius.

A vote was taken on motion to defer the application to the next meeting of the Committee for the reasons outlined above:

For (deferral)	4
Against (deferral)	1
Abstained	2

RESOLVED that the application be deferred until the next meeting of the Committee for the reasons outlined above.

11. KINGMAKER HOUSE STATION ROAD BARNET EN5 1NZ (OAKLEIGH)

The Committee received the report and addendum to the report.

A representation was heard from the applicant's agent.

The Committee voted on the Officer's recommendation to approve the application as follows:

For (approval)	2
Against (approval)	5
Abstained	0

It was moved by Councillor Sowerby and seconded by Councillor Prentice that the application be **refused** for the following reasons:

The proposed development by reason of its massing, scale and its excessive height by virtue of the proposed extensions to the roof would represent a significant departure from the local plan detrimental to the character and appearance of the surrounding area. Furthermore, the proposed additional floors to the rear together with its excessive rearward projection would result in a visually obtrusive form of development detrimental to the visual amenities of the locality and the street scene when viewed from Lyonsdown Road elevation. As such the proposed development would be contrary to policies CS1,

CS5 and CS NPPF of the Adopted Core Strategy (2012) and policies DM01 and DM05 of the Adopted Development Management Policies DPD (2012).

For (refusal)	4
Against (refusal)	2
Abstained	1

RESOLVED that the application be refused for the reasons detailed above.

12. ANY ITEM(S) THE CHAIRMAN DECIDES ARE URGENT

None.

The meeting finished at 9pm

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Location **2 Bruce Road Barnet EN5 4LS**

Reference: **19/2590/FUL** Received: 7th May 2019
Accepted: 8th May 2019
Ward: High Barnet Expiry 3rd July 2019

AGENDA ITEM 6

Applicant: Mornworth Ltd

Proposal: Change of use to ground and first floor to form 8 HMO rooms and ancillary facilities, retaining retail use at ground floor comprising two retail units with revised window and door openings to all elevations. Changes to shopfront

This application was previously considered at the Chipping Barnet Area Planning Committee on 3rd September 2019.

Members voted against the Officer's recommendation to approve the application.

Members then, with the Chair using his casting vote, voted against a motion to refuse the application on the grounds of over intensification, heritage and character.

As the Committee neither voted to approve, nor to refuse the application, Members then voted to defer the application until the next meeting of this Committee with a further Officer Report being submitted to clarify the position; particularly in relation to refusal of the application and the associated consequences.

Officers continue to recommend this application for approval and advise that, should Members be minded to refuse the application, the reason(s) for refusal stated should be suitably robust on planning grounds, taking into account the possibility of an appeal against the refusal. In those circumstances, it would be open for the applicant to make a costs application which if the Inspector considers that the Council's actions were unreasonable would be likely to be successful.

The previous committee report is appended below for Members' information.

Location **2 Bruce Road Barnet EN5 4LS**

Reference: **19/2590/FUL**

Received: 7th May 2019

Accepted: 8th May 2019

Ward: High Barnet

Expiry 3rd July 2019

Applicant: Mornworth Ltd

Proposal: Change of use to ground and first floor to form 8 HMO rooms and ancillary facilities, retaining retail use at ground floor comprising two retail units with revised window and door openings to all elevations. Changes to shopfront

Recommendation: Approve subject to s106

AND the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. Alteration to Traffic Regulation Order - £2,072.55

The alteration will relate to the schedule of addresses for the Controlled Parking Zone where the site is located in order to restrict future occupiers from obtaining resident parking permits.

Monitoring of the Agreement - £100

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Service Director – Planning and Building Control or Head of Strategic Planning approve the planning application subject to the following conditions and any changes to the wording of

the conditions considered necessary by the Service Director – Planning and Building Control or Head of Strategic Planning:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan

Drawing No: 900/18/01 - Existing Plans & Section

Drawing No: 900/18/02 - Existing Elevations

Drawing No: 900/18/03 Rev A - Proposed Plans

Drawing No: 900/18/04 Rev A - Proposed Elevations

Planning and Design and Access Statement

Odour Impact Assessment, Accon UK, 25.04.2019

Environmental Noise Impact Assessment, Sound Advice Acoustics Ltd, SA - 5868 rev 2, 1st February 2019.

Sustainability Statement

Flood Map

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 2 This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 No development shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

Details shall include:

Details of the new shop fronts including the fascia and pilaster features at 1:20 scale

Details of windows to be submitted for approval at 1:20 scale. (New windows shall be timber, double-hung, vertical sliding sashes. Cills to match those of the existing windows).

Details of doors to be submitted for approval at 1:20 scale.

All new external rainwater goods and soil pipes shall be of cast iron, painted black. No new plumbing, pipes, soilstacks, flues, vents or ductwork shall be fixed on the external faces of the building unless shown on the drawings hereby approved.

All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the

drawings or other documentation hereby approved or required by any condition(s) attached to this consent.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policies DM01 and DM06 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

- 4 No unit within the development shall be occupied until cycle parking and cycle storage facilities have been provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority.

Reason - In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 5 Anti-vibration mounts shall be installed on the flue serving Dory's Café, prior to the first occupation of the development and retained as such thereafter. Details shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the amenities of occupiers are not prejudiced by noise from the flue, in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted 2016) and 7.15 of the London Plan 2016.

- 6 The mitigation measures outlined in the report by Sound Advice Acoustics Ltd, ref SA-5868 rev 2, dated 01/01/19 shall be implemented in their entirety prior to the commencement of the use or the first occupation of the development and retained as such thereafter.

Reason: To ensure the amenities of occupiers are not prejudiced by traffic/mixed use noise in the immediate surroundings, in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted 2016), and 7.15 of The London Plan 2016.

- 7 a) Before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies

DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

RECOMMENDATION III:

- 1 That if the above agreement has not been completed by 3 November 2019, unless otherwise agreed in writing, the Service Director - Planning and Building Control REFUSE the application under delegated powers for the following reason(s):

The proposed development fails to provide a legal undertaking to enable an amendment to the Traffic Regulation Order and contribution to the associated costs to mitigate the on-street parking impacts in the vicinity of the site, contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), Policy DM17 of the Development Management Policies DPD (adopted September 2012) and the Planning Obligations SPD (adopted 2016).

Informative(s):

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £60 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: cil@barnet.gov.uk.

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

You can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf
2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.
3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Please visit <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

- 3 Refuse collection points should be located within 10 metres of the Public Highway. Alternatively, the dustbins will need to be brought to the edge of public highways on collection days. Any issues regarding refuse collection should be referred to the Cleansing Department.
- 4 The developer is required apply to the Highway Authority for a Projection Licence under Highways Act 1980 for any overhanging over the public highway. The overhang must be a minimum height of 2.7 metres above the footway and 4.1 metres above the carriageway.
Advice on projection licence can be obtained from Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 5 As a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

To minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail highways.development@barnet.gov.uk or nrswa@barnet.gov.uk at least 10 days prior to commencement of the development works.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.

- 6 If a concrete pump lorry is operated from the public highway, the surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant

shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.

- 7 The applicant is advised that this permission does not grant consent for any advertisement for which advertisement consent may be required.

Officer's Assessment

1. Site Description

The application site comprises a two-storey Victorian building, with a Café within the ground floor unit fronting St Albans Road and two retail units fronting Bruce Road.

The building is located on the corner of St Albans Road and is highly visible in a variety of public views, including from the adjoining Barnet market site. The building has a shallow-pitched slate roof which is typical of a number of traditional buildings of this type in the area and makes a characterful contribution to the local streetscene.

The surrounding streets are mixed use (commercial & residential). The subject building is not listed, however the site falls within the Monken Hadley Conservation Area.

The site also falls within the defined Chipping Barnet Town Centre and the retained Café unit falls within the Primary Shopping Frontage. The two retained retail units fronting Bruce Road are within the Chipping Barnet Town Centre but not within the Primary or Secondary Shopping Frontages.

2. Site History

Reference: 18/4801/FUL

Address: 2 Bruce Road, Barnet, EN5 4LS

Decision: Withdrawn

Decision Date: 25.09.2018

Description: Change of use to ground and first floor to form 9 HMO rooms and ancillary facilities, retaining retail use at ground floor comprising two retail units with revised window and door openings to all elevations. Changes to shopfront. [Amended Description]

Reference: N09561A

Proposal: Change of use of part of ground floor from Class B1 (Light Industrial) to Class A1 (retail) to provide two shops and alterations to elevations to provide new shopfronts and new windows at ground and first floor levels.

Decision: Approved subject to conditions

Date of Decision: 06.06.1990

Reference: N09561

Proposal: Provision of windows in southern, western and eastern elevations at first-floor level.

Decision: Approved subject to conditions

Date of Decision: 21.11.1989

3. Proposal

This application seeks planning permission for:

"Change of use to ground and first floor to form 8 HMO rooms and ancillary facilities, retaining retail use at ground floor comprising two retail units with revised window and door openings to all elevations. Changes to shopfront."

The Dory's cafe unit would remain as existing.

8 single occupancy HMO rooms are proposed (2 rooms at Ground Floor and 6 rooms at First floor).

It is proposed to retain two ground floor retail units (16 sq m and 23 sq m) between the existing Dory's Café and the proposed HMO use. The larger retail unit includes a WC within the unit, the smaller unit would share the existing WC with Dory's Café as at present.

Changes to the shopfronts of the two retained retail units are also proposed. The proposal would re-instate the fascia and pilaster features of the shopfronts in order to restore the relationship with the matching shopfront of Dory's Café.

New window and door openings are proposed on all elevations. The new windows would be painted timber sash windows to match the existing.

4. Public Consultation

Consultation letters were sent to 98 neighbouring properties.

13 responses were received comprising 13 objections. The comments received can be summarised as follows:

- Application proposes poor quality accommodation
- No mention of parking or outside space
- Area is already overcrowded, proposal will impact the high street and local businesses
- Proposed entrance/fire exit would be within 1 metre or so of Premier Inn's fire escape - a simultaneous evacuation could compound an already hazardous situation in this cul-de-sac.
- Future residents will be subject to noise impact from neighbouring uses
- Any approval should include an agreement that CPZ permits will not be available to HMO residents
- Overdevelopment
- Will result in parking problems

4.1 Consultees

A summary of consultation responses received is set out below. Further details are included elsewhere in this report.

Highways - No objection subject to legal agreement and conditions.

Environmental Health - No objection subject to condition.

HMO Team - No objection subject to clarifications (now provided).

Urban Design and Heritage - No objection subject to details of materials, windows and shopfront.

CAAC 18th (June 2019 meeting) - "Windows and doors to be confirmed as painted timber".

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The revised National Planning Policy Framework (NPPF) was published on 19th February 2019. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

The Draft London Plan 2017

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM06, DM08, DM09, DM17.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)
Sustainable Design and Construction SPD (adopted October 2016)
Monken Hadley Conservation Area Character Appraisal Statement (2007)
Chipping Barnet Town Centre Strategy (2013).

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the principle of an HMO is acceptable in this location;
- Retail considerations
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether the proposals would provide suitable living conditions for future occupiers of the proposed flats.
- Highways considerations

5.3 Assessment of proposals

Whether the principle of an HMO is acceptable in this location

The proposed development has been the subject of detailed pre-application discussions and a previous withdrawn application (18/4801/FUL).

Policy DM09 of Barnet's Development Management Policies states that 'Proposals for new HMO will be encouraged provided that they meet an identified need, can demonstrate that they will not have a harmful impact on the character and amenities of the surrounding area, are easily accessible by public transport, cycling and walking and meet the relevant housing standards for HMO'.

The applicant has provided evidence which demonstrates that there is an identified need for the HMO use in this location. This includes a map showing existing licenced HMOs in the vicinity the application site and correspondence from Barnet Homes advising that there is an identified demand for HMO places within the vicinity of the site.

The following considerations have been taken into account:

1. The site is located within the defined Chipping Barnet Town Centre boundary and has reasonably good access to public transport.
2. Evidence has been submitted to demonstrate that the proposed HMO use meets an identified need.
3. The site is within an area of mixed character and it would not have a harmful impact on the character and amenities of the surrounding area.
4. The proposal would meet the required HMO standards.

Based on the above, the principle of an HMO use in this location is considered to be acceptable.

Retail considerations

Dory's Café would remain as existing.

Two ground floor retail units (16 sq m and 23 sq m) would be retained between the existing Dory's Café and the proposed HMO use. The larger retail unit includes a WC within the unit, the smaller unit would share the existing WC with Dory's Café as at present.

Whilst there would be a reduction in retail floorspace compared to the existing situation, the site falls outside of the Primary and Secondary shopping frontages and two ground floor retail units would be retained, ensuring an active frontage remains in place.

It is not considered that the proposed development would have a harmful impact on the vitality or viability of Chipping Barnet Town Centre.

Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality

External alterations are proposed in the form of additional door and window openings and new shopfronts and detailing.

The Urban Design and Heritage team commented on the application, observing that the host building is a 2 storey, Victorian structure which contributes to the character of the Monken Hadley conservation area.

The team advised that if the proposal for a change of use to an HMO is accepted, the proposed external alterations should be respectful of its existing appearance. For example, new windows should match the design and detail of the existing traditional, timber sash windows, including cills and reveals to match the sash window on the north-east elevation. Further details of the proposed shopfront would also be required.

A planning condition is proposed in order to provide details of the proposed windows, door and shopfronts.

Subject to this condition, it is considered that the proposed development would not have a harmful impact on the character and appearance of the host building, street scene and surrounding area and the character and appearance of the conservation area would be preserved.

Whether harm would be caused to the living conditions of neighbouring residents

Whilst additional windows are being added to the south-east (front), south-west and north-east elevations, all of these elevations already contain windows and it is not considered that the additional windows will result in any harmful loss of privacy to any neighbouring residential properties.

Whether the proposals would provide suitable living conditions for future occupiers of the proposed development

The proposal complies with the relevant HMO standards and is therefore acceptable in this respect.

No amenity space is proposed. However, as there is public open space within close vicinity of the site and the site is within a town centre location, the lack of amenity space is considered to be acceptable in this case.

Highways

The Highways Department has commented on the proposed development as follows:

"The proposal is for the conversion of the existing ground and first floor units into 8x 1bed HMOs, while retaining part of ground floor retail units, including changes to shop front. The off-street car parking requirement for a proposal such as this is 5 car parking spaces.

However, taking into consideration the following;

- The site is located within a town centre location;
- The site is located within walking distance of local amenities;
- The site has a Public Transport Accessibility (PTAL) score of 3 which considered as good accessibility;
- The site is located within a Control Parking Zone C which operates from Monday to Saturday 8am to 6:30pm.

It is considered that the proposal would be acceptable with a Legal Agreement to amend the Traffic Order that regulates the schedule of addresses for the CPZ where the site is located.

Please note that cycle parking and cycle storage facilities should be provided in accordance with the London Borough of Barnet's Local Plan, in the interests of promoting cycling as a mode of transport.

Any proposed signage must be a minimum of 2.7m from the ground above the public footway.

Please note and inform the applicant of the below informative.

Recommendation: The proposal is acceptable on highways grounds subject to either a S106 or Unilateral agreement modify the Traffic Order that regulates the Controlled Parking Zone. A contribution of £2,072.55 is required towards the amendment of the Traffic order."

The proposed development would be acceptable on highway grounds subject to a legal agreement to secure permit exemption for the occupiers of the new development.

The applicant has indicated a willingness to enter into such an agreement.

Environmental Health

The Environmental health department have no objection to the proposal subject to conditions requiring anti-vibration mounts to be installed to the existing flue serving Dory's Café and requiring the Noise mitigation measures outlined in the submitted Noise Report to be implemented before first occupation of the development.

HMO Team

The HMO Team commented on the application, stating that is considered to be acceptable subject to clarifications in relations to floor areas, ceiling heights, kitchen sizes and ventilation and fire doors and partitioning.

The requested clarifications were provided by the applicant's in the form of revised drawings (Drawing No: 900/18/03 Rev A - Proposed Plans and Drawing No: 900/18/04 Rev A - Proposed Elevations).

Refuse and Recycling

A ventilated refuse and recycling storage area is proposed, accessed from the west elevation of the building.

5.4 Response to Public Consultation

Addressed elsewhere in this report.

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set out in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

Recommended for APPROVAL, subject to conditions and completion of legal agreement.



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Location	Church End House 44 Totteridge Village London N20 8PR	
Reference:	19/4514/HSE	Received: 14th August 2019
		Accepted: 16th August 2019
Ward:	Totteridge	Expiry 11th October 2019
Applicant:	Mr Fausto Furlotti	
Proposal:	Demolition of existing garage. Erection of new garage with residential accommodation in roof space	

AGENDA ITEM 7

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

435315/1, 435315/2, TCP 7367 rev a, Planning Heritage and Design and Access Statement (August 2019), Arboricultural Impact Assessment (12/06/2019).

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 2 This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

4 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016.

5 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development.

A landscape scheme of soft landscape must be provided to mitigate the impact of the scheme on the local area. This must include as a minimum: Provide x 3 new beech trees replace T4, this will re-instate the group TPO back to the original number, x 1 beech to replace T7 and X 1 scots pine to replace T8.

b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

- 6 The use of the new garage with accommodation in roof space, hereby permitted shall at all times be ancillary to and occupied in conjunction with the main building and shall not at any time be occupied as a separate unit or dwelling.

Reason: To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 7 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2016.

- 8 a) No development shall take place until details of the windows in the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details should include plans at 1:10 including a section to demonstrate the thickness of the new unit.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

- 9 a) No site works or works in connection with the development hereby approved shall be commenced until details of the protective measures to be implemented for the wildlife species protected by law and details of any mitigation measures including the timing of development works and special techniques has been submitted to and approved in writing by the Local Planning Authority.

Ecological Enhancement measure should include: One bat box (e.g. 2F Schwegler or similar), suitable for a range of bat species, should be erected on retained standard trees in unlit parts of the site. One bird box (e.g. 2H Schwegler or similar), should be erected on retained standard trees in unlit parts of the site.

b) The development shall be implemented and thereafter maintained in accordance with the approved details.

Reason: To ensure that any protected species present are not adversely affected by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

Informative(s):

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 Tree and shrub species selected for landscaping/replacement planting provide long term resilience to pest, diseases and climate change. The diverse range of species and variety will help prevent rapid spread of any disease. In addition to this, all trees, shrubs and herbaceous plants must adhere to basic bio-security measures to prevent accidental release of pest and diseases and must follow the guidelines below.
"An overarching recommendation is to follow BS 8545: Trees: From Nursery to independence in the Landscape. Recommendations and that in the interest of Bio-security, trees should not be imported directly from European suppliers and planted straight into the field, but spend a full growing season in a British nursery to ensure plant health and non-infection by foreign pests or disease. This is the appropriate measure to address the introduction of diseases such as Oak Processionary Moth and Chalara of Ash. All trees to be planted must have been held in quarantine."

Officer's Assessment

1. Site Description

The application site is located within the Totteridge Conservation Area and Church End House is a listed building. It is not located within the Green Belt. Although majority of Church End House is situated in an Area of Special Archaeological Significance, the existing garage structure is outside of this area. The existing garage is not listed. The Western flank of the garage neighbours land designated as Metropolitan Open Land.

The site also contains a number of trees protected by Tree Preservation Orders located near the existing garage. It should be noted that notwithstanding this all trees are afforded protection by reason of being within a conservation area.

The Parish Church of St. Andrew and a private road is sited to the west and residential properties are to the east of the site. Parish hall and access road bounds the north boundary of the site.

2. Site History

16/1644/HSE: Church End House, 44 Totteridge Village, London, N20 8PR.

Erection of new garage with residential accommodation in the roof space for use ancillary to main house following demolition of existing garage.

Decision: Approved subject to conditions.

Decision Date: 13.05.2016

B/03989/13: Church End House, 44 Totteridge Village, London, N20 8PR, .

Internal alterations. Removal for door and reinstatement of brickwork. Alterations to down pipes and guttering.

Decision: Approved subject to conditions.

Decision Date: 11 October 2013

B/05623/13: Church End House, 44 Totteridge Village, London, N20 8PR, .

Erection of metal railings along the north-west boundary of the property and erection of a wrought iron electric gate.

Decision: Approved subject to conditions.

Decision Date: 5 March 2014

N02147E/02/TRE_B: Church End House, 44 Totteridge Village, London, N20 8PR, . Beech - remove 1 branch, thin 20% T19 of TPO.

Decision: Approved subject to conditions.

Decision Date: 18 April 2002

3. Proposal

The current proposal is same as previously approved scheme under 16/1644/HSE, approved in 13.05.2016. That particular application also included the provision of residential accommodation in the roof space and the proposed plans and elevations of the current application are same as before. A new application was submitted because the previous planning permission was not implemented on site within 3 years, which is a requirement of all consents. There appears to be no material, or policy change since the earlier decision was made.

This application proposes the erection of new garage with residential accommodation in the roof space for use ancillary to main house following demolition of existing garage.

The proposed garage will have a width of 15m and depth of 5.4m, supporting a gable pitch roof with a min. height of 2.8m and max. height of 5.8m. The garage roof will feature 4no. front facing dormers with hipped pitch roofs, measuring 1.75m in width, 1.55m in depth and 2.55m in height. There will be 4no. garage doors to the front elevation, each one measuring 2.6m in width and 2.10 in height. The first floor east elevation will contain one window located in the gable face.

The proposal has been referred to Committee because of several objections received from the neighbours and councillors.

Cllr Caroline Stock objected on the following grounds:

- Proposed garage is too large
- Overbearing and out of keeping
- Appears to be a self-contained dwelling
- Impact on TPO trees

Cllr Alison Cornelius objected on the following grounds:

- The garage is a listed building
- Probability to use the garage as self-contained dwelling
- Intensification of the site
- Impact on TPO trees
- dominating and out of keeping in the conservation area

4. Public Consultation

Consultation letters were sent to 5 neighbouring properties and a Site Notice was issued. 18 letters of objections have been received.

The objections received can be summarised as follows:

- The proposed mass and bulk is excessive
- Potential damage to the TPO trees
- Out of Keeping with the locality and conservation area
- Proposal should not be used as separate unit
- The applicant should apply for Listed Building consent
- inappropriate intensification
- Impact on Parish Hall
- Convert the garage into new dwelling would not be appropriate
- Proposal would be larger than the existing garage
- impact on listed building

4.1 Other Consultation

Totteridge CAAC (2nd of September 2019): - The bulk, height and position of the proposal constitutes intensification of the use of the site. Trees on the sight need to be considered together with the rural aspect.

Urban Design & Heritage: - No objection in principle to the construction of a new garage; furthermore, a previous application was approved which was exactly same as the current proposal.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The revised National Planning Policy Framework (NPPF) was published on 19th February 2019. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

The London Plan is currently under review. Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the adopted London Plan.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02, DM06.

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all

development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

DM06 states that, Development proposals must preserve or enhance the character and appearance of 16 Conservation Areas in Barnet. Paragraph 7.2.2 mentions that, if a site lies within a Conservation Area or is located nearby, planning permission will not be granted where development proposals neither preserves nor enhances the character or appearance of that area. Proposals will need to consider the council's Conservation Area character appraisals and suite of Supplementary Planning Documents.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted April 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi-detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted April 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character, appearance and setting of the listed building, the street scene, the Totteridge Conservation Area and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether harm would be caused to the TPO trees within the vicinity of the development.

5.3 Assessment of proposals

Impact on Character:

The current proposal is exactly same as previously approved scheme under 16/1644/HSE in 13.05.2016.

Council's conservation officer informed that, the existing garage, which is proposed to be demolished, is not attached to the listed building and is clearly a more modern 20th century structure. During pre- app advice, it was indicated that, there is no objection by the council to the loss of the existing garage and for it to be replaced. The officer informed that, there is no objection in principle to the construction of a new garage replacing the existing as exactly same application was approved in 13. 05. 2016.

The proposed garage would be 4m wider and 1.4m higher than the existing garage on site, with the same depth as existing garage. Officers consider that the additional volume created by these dimensional increases are reasonable and therefore will result in a proportionate and congruent structure that relates well with the plot in which it is to be located. In addition to this, it is considered that the design in relation to its balanced symmetrical appearance will be an improvement over the existing garage, and with the provisionally suggested materials (which will be finalised by means of a condition), will not detract from the character, appearance or setting of the listed building that the proposed new garage will serve. The proposed dormers are complementary, subordinate features on the front roofslope which have appropriate spacing between them and will make a valuable contribution to the visual interest of the building.

Furthermore, the proposed new garage is sited at the rear at north west corner of the subject site away from the listed building and screened by existing mature trees along the west boundary and the additional bulk would not be apparent from the access road or from the path to the west.

The proposal is not for a self-contained residential accommodation replacing the existing garage, as objected by neighbours. The ground floor would be used as garage and the first floor would contain one bedroom with kitchen and bathroom facility to be used as ancillary to the main dwelling by visitors and family members.

The use of the first floor of the garage as residential accommodation that is ancillary to the use of the main house is considered to be acceptable. This does not constitute the Local Planning Authority's acceptance of the accommodation's suitability as a separate self-contained unit. As such, a condition will be applied requiring that the use of the garage and its first floor accommodation remains ancillary to the use of the main house and not to be used as self-contained unit at any time.

Overall, Officers do not consider that the proposed garage would have an unacceptable impact on the character and appearance of the listed building, street scene, Totteridge Conservation area or the wider locality, because of it is siting and moderate increase in scale.

Impact on neighbouring amenity:

The proposal in this application is not located within the vicinity of any other residential properties where it would cause harm to their amenities.

It is noted that, Parish Hall is located on the north side of the proposal and separated by an access road. It is considered that; the increased bulk and height of the proposal would not appear significantly overbearing when viewed from rear than what is existing on site. Furthermore, there would be no window in the north and west flank walls facing the access road and considered not to cause any overlooking impact for Parish Hall at the rear.

Impact on TPO trees:

Councils Tree officer was consulted on the proposal. Officer informed that, the application is a repeat of a previously approved scheme. There does not appear to be any change to submission approved under 16/1644/HSE.

The officer further informed that, two of the beech trees are reported to be in very poor condition this was evident from a site visit while assessing application 19/1318/HSE a subsequent visit on 5.09.2019 confirms this and the condition has worsened. T4 within the traffic island and T7 located to the south east of the garage. Subject to replacement planting of x 3 beech trees within the traffic island, and x 1 beech in a similar location to T7 this should be acceptable.

The loss of T8 the bay tree against the existing building is acceptable subject to replacement planting.

T37 a large mature ash tree is growing very close to the existing garage and further details of the construction and tree protection measures need to prevent harm to this TPO tree must be submitted. However, this tree is in poor condition. The applicant, in consultation with an engineer should consider the use of helical screw piles to help limit impacts

T8 bay, G37 holly and laurel would need to be removed to facilitate this proposal. The impact of this can be mitigated with replacement plantings.

T4 and T7 are proposed to be removed for health and safety reasons, which will also facilitate the installation of services to the garage.

A landscape scheme of soft landscape must be provided to mitigate the impact of the scheme on the local area. This must include as a minimum:

Provide x 3 new beech trees replace T4, this will re-instate the group TPO back to the original number, x 1 beech to replace T7 and X 1 scots pine to replace T8.

The officer has no objection to the proposal, subject to the submission of an arboricultural method statement and tree protection plan that details all the measures needed to ensure the safe retention of trees this application can be considered in accordance with local planning policy DM01.

Ecology:

The garage block provided Negligible bat roost potential. There were bat access points into the garage block; however, there was limited roosting potential inside the building. No bats or evidence of bats were observed during the survey.

The demolition of the building required for the construction phase should take place outside the bird breeding season of March to August inclusive, to prevent disturbance to birds, or if removed in that period, only after a survey has shown that no active nests are

present. Alternatively, if the nesting bird season cannot be avoided then the building should be demolished following a nesting bird check. The building should only be demolished if no nesting birds are found during this check. If nesting birds are found, then the building cannot be demolished until the last chick has fledged.

Officers suggested Ecological enhancement measures as follows:

One bat box (e.g. 2F Schwegler or similar), suitable for a range of bat species, should be erected on retained standard trees in unlit parts of the site.

One bird box (e.g. 2H Schwegler or similar), should be erected on retained standard trees in unlit parts of the site.

Conditions are attached to address this issue.

5.4 Response to Public Consultation

Comments received during the consultation process have been considered and addressed in the above Officer's report.

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character, appearance and setting of the listed building, the street scene, the Totteridge Conservation Area and the wider locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.

